THE MADRAS LEGISLATIVE COUNCIL.

Tuesday, the 8th August 1950.

The House met in the Council Chamber, Fort St. George, at 2-30 p.m., Mr. Chairman (THE HON. SRI R. B. RAMAKRISHNA RAJU) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Construction of a dam across the South Pennar in Sathanur limits.

* 7 *Q.*—SRI R. SURYANARAYANA RAO: Will the Hon. the Minister for Public Works be pleased to state at what stage the proposal for the construction of a dam across the South Pennar in Sathanur limits to impound water required for irrigation purposes is?

THE HON. SRI M. BHAKTAVATSALAM:—"The scheme has been investigated and the plans and estimate prepared are under scrutiny in the Chief Engineer's office."

SRI R. SURYANARAYANA RAO:—"May I know, Sir, whether the scheme, when the plans and estimates are approved, will be included in the list of those which the Hon. the Ministe gave at the time when the Budget was presented?"

THE HON. SRI M. BHAKTAVATSALAM:—"Yes, Sir. I do expect that after the scrutiny and other preliminaries are over, the scheme will be taken up in the course of the year."

Higher Judicial Service.

* 8 *Q.*—SRI R. SURYANARAYANA RAO: Will the Hon. the Chief Minister be pleased to state—

(*a*) whether rules governing Higher Judicial Service have been framed and if so, what they are;

(*b*) what will be the strength of the cadre;

(*c*) whether it is proposed to provide for direct recruitment and if so, what the proportion of direct recruits will be;

(*d*) whether the District Magistrates working under the Separation Scheme will form part of the Higher Judicial Service;

(*e*) what the scales of pay proposed for the Higher Judicial officers are; and

(*f*) whether the District Magistrates under the Separation Scheme will be entitled to the same scales of pay as the District Judges?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. the Chief Minister):—"(*a*) No.

"(*b*) Does not arise.

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"(c) Yes. It is not possible to say what the proportion will be as no decision has been reached in the matter.

"(d) No.

"(e) The scale of pay for District Judges will be Rs. 1,000—60—1,300—50—1,800.

"(f) No. The scale of pay of District Magistrates will be Rs. 800—100/2—1,000."

SRI R. SURYANARAYANA RAO :—"May I know, Sir, when the Government expect to formulate rules governing higher judicial services?"

THE HON. SRI K. MADHAVA MENON :—"I cannot say definitely when it will be done. The High Court had been consulted and they wanted time till the re-opening of the court. As soon as we receive the recommendations of the High Court we shall decide upon the rules."

SRI R. SURYANARAYANA RAO :—"Is not the salary of District Magistrates in districts where separation of judiciary from the executive has not been effected the same as that of the District Judges?"

THE HON. SRI K. MADHAVA MENON :—"The District Judges are started on Rs. 1,000 and the grade goes up to Rs. 1,800, while the District Magistrates in the 'separation areas' get a starting salary of Rs. 800."

SRI R. SURYANARAYANA RAO :—"My question relates to non-separated areas'?"

THE HON. SRI K. MADHAVA MENON :—"In the case of District Judges the starting salary is Rs. 1,000. In the case of Collectors and District Magistrates it is Rs. 800 if they are I.A.S. men and in the case of I.C.S. men they draw their grade pay."

SRI R. SURYANARAYANA RAO :—"Am I right in saying, Sir, that a listed post holder acting as Collector and District Magistrate in a district where separation has not been introduced does not draw the same salary as the District Judge?"

THE HON. SRI K. MADHAVA MENON :—"It all depends upon when the officer was listed. If he has been listed and subsequently taken into the I.A.S. he gets the senior scale of pay. If the listed officer became a Collector before the formation of the I.A.S. and not taken into it he will draw the same pay as he was originally drawing."

SRI R. SURYANARAYANA RAO :—"May I know, Sir, whether in the selection of District Magistrates, the case of senior Subordinate Judges is considered?"

THE HON. SRI K. MADHAVA MENON :—"Yes, Sir. We do certainly consider their cases. We have issued orders

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that only those who lie, in point of seniority, in between the Subordinate Judges and District Judges should be selected as District Magistrates."

SRI R. SURYANARAYANA RAO :—" Are not District Magistrates liable to transfer as District Judges either as a routine or in some proportion?"

THE HON. SRI K. MADHAVA MENON :—" Only those Subordinate Judges who are in the panel of District Judges are appointed as District Magistrates so that when they come to the stage of becoming District Judges they will be automatically promoted provided, of course, there is no particular reason why promotion should be withheld."

Supply of adequate water to the existing ayacuts by increasing the capacity of storage tanks.

* 9 *Q.*—SRI R. SURYANARAYANA RAO : Will the Hon. the Minister for Land Revenue be pleased to state—

(*a*) whether, in increasing the capacity of storage tanks, the main purpose is to ensure adequate supply to the existing ayacut;

(*b*) what steps, if any, are taken to prevent increase in ayacut and thereby ensure adequate supply to the existing ayacut; and

(*c*) whether the Government are in receipt of representations protesting against the proposed increase in ayacut in respect of certain tanks?

THE HON. SRI H. SITARAMA REDDI :—" (*a*) This is the correct position.

" (*b*) The Board and the Chief Engineer (Irrigation) have been instructed to see that the registered ayacuts of tanks are not increased unless some experience has been gained of their capacity after they have been repaired or improved. The Government, however, consider that there is no objection to supply being made to new fields, without any guarantee of future supply if the repairs or improvements result in a surplus quantity of water, which can be usefully diverted to new fields.

" (*c*) No such representations have hitherto been received."

Appointments outside the purview of the Madras Public Service Commission.

* 10 *Q.*—SRI R. SURYANARAYANA RAO : Will the Hon. the Chief Minister be pleased to state—

(*a*) whether there are departments of Government for which even initial recruitment is outside the purview of the Public Service Commission and if so, what those departments are;

(*b*) what the overriding considerations are to keep them outside the purview of the Public Service Commission;